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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael HECKMEIER et al.

Examiner: Jerry C. Fang

Serial No.: 10/535,104

Group Art Unit: 2873

Filed: May 16, 2005

Title: ELECTRO-OPTICAL LIGHT MODULATION ELEMENT, ELECTRO-OPTICAL DISPLAY AND MODULATION MEDIUM

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated September 21, 2006, Applicants hereby elect Group I, claims 1-21, drawn to an electro-optical light modulation device. The requirement for restriction is respectfully traversed, inasmuch as it submitted that a complete search of the electro-optical light modulation device, classified in class 359, sub-class 245, also requires a search of class 435, sub-class 325, wherein mesogenic modulation mediums for use of such devices are classed. In such a situation where there is little, if any, additional burden upon the examiner, the inventions should be kept together in a single application. See M.P.E.P. §803. Withdrawal of the requirement for restriction is therefore respectfully requested.

No fee is believed to be due with this response, however, the Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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Harry B. Shubin, Reg. No. 32,004  
Attorney/Agent for Applicant(s)

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Attorney Docket No.: MERCK-3016

Date: October 23, 2006

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